

Friday, January 21, 2011

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
9300 East Hampton Drive
Capitol Heights, Maryland 20743

Received & Inspected

JAN 31 2011

FCC Mail Room

With copies to:

Clear Channel Broadcasting Licenses, Inc. / WQUE-FM
2625 South Memorial Drive
Suite A
Tulsa, Oklahoma 74129

Regarding: Petition for Rulemaking to allocate FM Channel 228A to Summit, Mississippi

Ms. Dortch –

I am sending to the Commission this original Petition for Rulemaking with four copies in furtherance of allocating a new FM Channel (228A) at Summit, Mississippi. I have also filed FCC Form 301 (see BNPH-20110127AAF) and paid the requisite application fee. A separate copy is being sent to Clear Channel Broadcasting Licenses, Inc., Licensee of WQUE-FM at New Orleans, Louisiana. I certify that everything contained herein is correct to the best of my knowledge. Should you have any other questions, then please feel free to contact me at 601-201-0059 or at 1125 Petrified Forest Road, Flora, Mississippi 39071.

Respectfully,



Cliff J. Bowen, Jr.
Bowen Broadcasting
1125 Petrified Forest Road
Flora, Mississippi 39071
cliffbowenjr@yahoo.com
601-201-0059

No. of Copies rec'd 014
List ABCDE
MB Policy 11-7

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Before the
FEDERAL COMMUNICATIONS COMMISSION
 Washington, D.C. 20554

In the Matter of)
)
 Amendment of Section 73.202(b),) MM Docket No. MB _____
 Table of Allotments) RM- _____
 FM Broadcast Stations)
 (Summit, Mississippi))

To: Chief, Allocations Branch
 Policy and Rules Division
 Media Bureau

PETITION FOR RULEMAKING AND REQUEST FOR SHOW CAUSE

Bowen Broadcasting ("Petitioner") hereby submits this Petition for Rulemaking and Request for a Show Cause Order to Clear Channel Broadcasting Licenses, Inc., Licensee of station WQUE-FM at New Orleans, Louisiana, to (1) assign FM Channel 228A to Summit, Mississippi, as that community's *first* FM broadcast service, and (2) substitute FM Channel 227C0 for FM Channel 227C for station WQUE-FM at New Orleans, Louisiana, by way of an Order to Show Cause to Clear Channel Broadcasting Licenses, Inc. (Licensee of WQUE-FM) directing WQUE-FM, operating under a Class C license without Class C facilities, to either accept a Class C0 designation or apply for a full Class C facility, as follows:

<u>Community</u>	<u>Present</u>	<u>Proposed</u>
New Orleans, Louisiana	227C, 239C, 246C0, 253C0, 266C0, 270C0	227C0, 239C, 246C0, 253C0, 266C0, 270C0
Summit, Mississippi	---	228A

This makeup of allocations would represent a *preferential arrangement of the FM Table of Allotments*. The community of Summit, Mississippi, would receive its first FM

MB Policy 11-7

allocation without actually changing the coverage area of WQUE-FM. As almost all of the other Class C FM facilities in New Orleans, Louisiana, have already been reclassified as Class C0 FM facilities (including several other facilities owned by Clear Channel Broadcasting Licenses, Inc., Licensee of WQUE-FM), it is highly unlikely that WQUE-FM would ever opt to construct full Class C FM facilities.

SUMMIT, MISSISSIPPI DESERVES LOCAL SERVICE

The community of Summit, Mississippi is located in Pike County, Mississippi, and is home to 1,428 residents, according to the 2000 United States Census (the population had risen to 1,605 by 2009, according to Census estimates that year). Summit is home to its own Zip Code (39666), United States Post Office, and has its own telephone exchange (601-276-XXXX). Summit is not located within or near any Arbitron or BIA-designated media market. Summit is also home to the Summit Fire Department, the Summit Police Department, Summit Academy (a private school), Southwest Community College (a two-year community college), numerous churches, and many businesses. Summit is independent of any neighboring communities and is clearly deserving of its own FM allocation.

REQUEST FOR ORDER TO SHOW CAUSE

In order to accommodate the proposed allocation at Summit, station WQUE-FM at New Orleans, Louisiana must be reclassified from FM Class C to FM Class C0. Petitioner hereby certifies that no other FM Class A facilities could be found to serve Summit, Mississippi, and that reclassification of WQUE-FM must occur in order to

accommodate FM Channel 228A at Summit. Currently, WQUE-FM operates with 100,000 Watts of effective radiated power from an antenna height above average terrain of 300 meters. The minimum operating antenna height above average terrain for a FM Class C facility is 451 meters, so WQUE-FM is eligible for reclassification to FM Class C0. No actual modifications to WQUE-FM's physical facility are necessary to make this substitution. Applicant certifies that it has sent a copy of this Petition for Rulemaking to Clear Channel Broadcasting Licenses, Inc., Licensee of WQUE-FM, by first class U.S. Mail, to the following mailing address:

Clear Channel Broadcasting Licenses, Inc. / WQUE-FM
2625 South Memorial Drive
Suite A
Tulsa, Oklahoma 74129-2623

CONCLUSION

Concurrent with this Petition, Petitioner has filed a FCC Form 301 Construction Permit application to construct a new FM facility at Summit, Mississippi. In the event that the Commission grant's Petitioner's requests herein, Petitioner asserts that it will participate in any future Commission auction to secure a broadcast license for said facility.

Dated: January 21, 2011

Respectfully submitted,



Bowen Broadcasting
1125 Petrified Forest Road
Flora, MS 39071
(601) 201-0059

By:

Cliff J. Bowen, Jr. / Officer

EXHIBIT A: ALLOCATION STUDY

FM Channel: 228A

Community: Summit, Mississippi

Proposed NAD-27 Allotment Coordinates:

31-17-07.3 N, 90-19-10.2 W

FCC Database Date: January 21, 2011

Fac ID	App. ID	Call	Type	Chan	City	St	Dist	Min	Margin
11915	1077662	WQUE-FM	LIC	227C	NEW ORLEANS	LA	154.00	165.00	-11.00*
58931	187333	WEMX	LIC	231C1	KENTWOOD	LA	74.51	75.00	-0.49
43180	217779	WHJT	LIC	228A	CLINTON	MS	116.67	115.00	1.67
11915	1077662	WQUE-FM	PROP	227C0	NEW ORLEANS	LA	154.00	152.00	2.00
61368	596879	WMJY	LIC	229C	BILOXI	MS	177.20	165.00	12.20
8167	491723	KRDJ	LIC	229C1	NEW IBERIA	LA	155.82	133.00	22.82
6316	162337	WBOX-FM	LIC	225A	VARNADO	LA	54.54	31.00	23.54
7903	247678	WMLV	LIC	228C2	BUTLER	AL	198.69	166.00	32.69
76262	417205	WMJU	LIC	282C3	BUDE	MS	45.36	12.00	33.36
0	1020584	WGDQ(FM)	VAC	226C3	SUMRALL	MS	91.12	42.00	49.12
35646	164755	KGGM	LIC	228A	DELHI	LA	175.15	115.00	60.15
6212	282406	WRXW	LIC	230C3	PEARL	MS	112.68	42.00	70.68
9751	100355	KQID-FM	LIC	226C	ALEXANDRIA	LA	183.45	95.00	88.45
34528	109726	KOBW	LIC	281C	HOUMA	LA	152.63	29.00	123.63
48630	153613	WSYE	LIC	227C	HOUSTON	MS	305.21	165.00	140.21

* - although the current proposal violates the 73.207 separation requirements between first adjacent FM Channel A and C facilities, it does not violate 73.207 separation standards between first adjacent FM Channel A and C0 facilities, as proposed for WQUE-FM herein.

EXHIBIT B: COMMUNITY COVERAGE



The FCC f(50,50) 70 dBu contour is shown above, and clearly encompasses 100% of the community of Summit, Mississippi.